

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

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IN RE:	)	
	)	
JOSEPH DENVER LAWRENCE	)	Case No. 19-35789-KRH
	)	Chapter 13
Debtor	)	

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**MOTION TO EXPEDITE HEARING ON MOTION  
TO SELL REAL ESTATE AND TO SHORTEN NOTICE PERIOD**

COME NOW the Debtor, by counsel, and move this Court to Expedite the Hearing on the Motion to Sell Real Estate and to Shorten Notice Period, and in support thereof states as follows:

1. The Debtor filed this case under Chapter 13 of the U.S. Bankruptcy Code on November 1, 2019.

2. LoanCare LLC is a secured creditor which holds a first mortgage on the property known as 5206 Futura Ave, Henrico, VA 23231, more particularly described as

ALL THAT CERTAIN LOTS, PIECES OR PARCELS OF LAND, WITH ALL IMPROVEMENTS THEREON, KNOWN AS 5206 FUTURA AVENUE, FORMERLY CARLTON AVENUE, LYING AND BEING IN THE COUNTY OF HENRICO, VIRGINIA KNOWN AND DESIGNATED AS LOTS 4,5,6, AND 7, BLOCK B ON THE PALN OF OVER HILL PARK, ALL AS IS SHOWN ON A PLAT OF SURVEY MADE BY RALEIGH E. PHELPS, CLS, DATED AUGUST 25, 1983. WHICH SAID PLAT OF SURVEY IS ATTACHED TO DEED RECORDED IN DEED BOOK 1889, PAGE 451, REFERENCE TO WHICH IS HEREBY MADE FOR A MORE COMPLETE DESCRIPTION OF THE PROPERTY.

(the "Property").

James E. Kane (VSB #30081)  
KANE & PAPA, P.C.  
1313 East Cary Street  
Richmond, VA 23219  
(804) 225-9500 (phone)  
(804) 225-9598 (fax)  
*Counsel for Debtor*

3. The approximate payoff balance on the note secured by said mortgage is \$154,000.00. The tax assessed value of the Property is \$188,100.00.

4. Debtor has entered into a contract (“Contract”) for the sale of the Property to Brianna Stein for \$230,000.00, which, upon closing of the same, will result in LoanCare LLC releasing its deed of trust against the Property.

5. The amount of the sale or loan proceeds to be applied to the Debtor’s obligations under the confirmed plan is \$8,902.00, which will result in full payment of all allowed claims.

6. The approximate amount of sales proceeds to be paid to the Debtor is \$17,000.00.

7. On December 15, 2021, or as soon thereafter as may be practicable, Debtor intends to the Property in accordance with the terms of the Contract.

WHEREFORE, the Debtor respectfully requests that the Court expedite the hearing on the Motion to Sell Real Estate, Shorten the Notice Period required for said Motion, and grant them such other and further relief as is just and proper.

Dated: December 1, 2021

JOSEPH DENVER LAWRENCE

By: /s/ James E. Kane  
Counsel

James E. Kane (VSB #30081)  
KANE & PAPA, P.C.  
1313 East Cary Street  
Richmond, VA 23219  
(804) 225-9500 (phone)  
(804) 225-9598 (fax)  
*Counsel for Debtor*

**CERTIFICATION**

I, James E. Kane, pursuant to Local Rule 9013-1(N), do hereby certify that:

1. I have carefully examined the matter and concluded that there is a true need for an emergency hearing,
2. I have not created the emergency through any lack of due diligence.
3. I have made a *bona fide* effort to resolve the matter without hearing.

By: /s/ James E. Kane  
James E. Kane

**CERTIFICATE OF SERVICE**

I hereby certify that on December 1, 2021, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all parties registered to receive notice thereof and will mail the same by first class mail, postage pre-paid, to the parties on the attached list.

/s/ James E. Kane  
Counsel for Debtor

**IN THE UNITED STATES BANKRUPTCY COURT  
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                        )      Chapter 13  
Debtor                 )  
\_\_\_\_\_ )

**NOTICE OF MOTION AND HEARING**

The above Debtor has filed papers with the Court to request an order to Expedite the hearing and to Shorten the Notice Period with respect to the Motion to Sell Real Estate.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then, you or your attorney must:

- File with the court, at the address shown below, a written request for a hearing [or written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for a hearing (or response) to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above, to:

Clerk of Court  
United States Bankruptcy Court  
701 East Broad Street  
Richmond, VA 23219

You must also mail a copy to:

James E. Kane, Esquire  
KANE & PAPA, P.C.  
1313 East Cary Street  
Richmond, Virginia 23219

- Attend a hearing scheduled for **December 8, 2021 at 12:00 p.m. at U.S. Bankruptcy Court, 701 East Broad Street, Room 5000, Richmond, VA 23219**. If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.

- **REMOTE HEARING INFORMATION:**

Due to the COVID-19 public health emergency, no in-person hearings are being held.

This hearing will take place remotely through Zoom on the date and time scheduled herein.

To appear at the hearing, you must send, by email, a completed request form (the “Zoom Request Form”), which is available on the Court’s internet website at [www.vaeb.courts.gov](http://www.vaeb.courts.gov), on the page titled, “Temporary Emergency Provisions Regarding ZoomGov Remote Proceeding Access Information.” Email your completed Zoom Request Form to the email address listed for the Judge assigned to the case. Following receipt of your Zoom Request Form, Court staff will respond to the email address from which the request was submitted with additional information on how to participate through Zoom.

\*\*\*The email address shall be used only to submit Zoom Request Forms. No other matters or requests will be considered by Court staff, and under no circumstances will any such matters or requests be brought to the Judge’s attention. Failure to comply with these instructions may result in appropriate action, including but not limited to the imposition of sanctions.

**\*\*\* PLEASE NOTE: You MUST submit the Zoom Request Form no later than two (2) business days prior to this hearing. Any documentary evidence the parties wish to present at the hearing must be filed with the Court in advance of the hearing.**

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Dated: December 1, 2021

JOSEPH DENVER LAWRENCE

By: /s/ James E. Kane  
Counsel

James E. Kane (VSB #30081)

KANE & PAPA, P.C.

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/s/ James E. Kane  
Counsel for Debtor

Citibank/The Home Depot  
Attn: Recovery/Centralized BK  
Po Box 790034  
St Louis, MO 63179

Citibank/The Home Depot  
Attn: Recovery/Centralized Bankruptcy  
Po Box 790034  
St Louis, MO 63179

Comcast  
5401 Staples Mill Road  
Henrico, VA 23228

Grnsky/fifththirdbk  
Attn: Bankruptcy Dept  
1797 North East Expressway  
Atlanta, GA 30329

Henrico Fcu  
9401 West Broad Street  
Henrico, VA 23294

KRS Holdings  
2000 West Club Lane  
Richmond, VA 23226

LoanCare LLC  
Attn: Consumer Solutions Dept  
Po Box 8068  
Virginia Beach, VA 23450

Macy's  
Attn: Bankruptcy  
9111 Duke Boulevard  
Mason, OH 45040

Mariner Finance  
7445 Lee Davis Road  
Suite 106  
Mechanicsville, VA 23111

Mariner Finance, LLC  
Attn: Bankruptcy  
8211 Town Center Drive  
Nottingham, MD 21236

Verizon  
P.O. Box 660720  
Dallas, TX 75266-0270

Yvette Lawrence  
5206 Futura Ave  
Henrico, VA 23231